

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

TEXAS IP RESEARCH, LLC,
Relator,

v.

TELEFLEX INCORPORATED, et al.,
Defendants.

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**Civil Action No. 5:11-cv-00032
JURY TRIAL DEMANDED**

ORDER OF DISMISSAL

Relator Texas IP Research, LLC (“Relator”) and defendants Teleflex Incorporated and Arrow International, Inc., have settled all of the claims asserted in this case, and that could have been asserted in this case, and request that this case be dismissed with prejudice to the re-filing of the same. The Court, having considered this request, enters Final Judgment in this case, disposing with prejudice of all claims that have been or could have been asserted by any party as follows:

1. The Court hereby HOLDS and ORDERS that any and all claims by Plaintiff Texas IP Research, LLC, on behalf of itself and of the United States and the general public, regarding Defendants Teleflex Incorporated and Arrow International, Inc.’s alleged violations of 35 U.S.C. § 292 based on Defendants’ marking of any past or existing product with an expired patent, Defendants’ marking of any past or existing product with patents having a scope that does not cover the marked product, or Defendants’ marking of any past or existing product with a patent number preceded by language indicating that the product may be

covered by one or more of the listed patents or language of similar meaning, are fully resolved and hereby dismissed with prejudice.

2. The Court hereby HOLDS and ORDERS that any future litigation alleging violations of 35 U.S.C. § 292 or any other statute related to false marking or false advertising with regard to any past or existing product covered by this Final Judgment that has been manufactured or sold by Defendants prior to the date of this Judgment is barred.
3. The Court hereby HOLDS and ORDERS that Defendants and those acting in concert therewith and/or selling products manufactured or distributed by Defendants may sell inventory with packaging that has been manufactured on or before the date of this order without further liability.
4. The Court hereby HOLDS and ORDERS that Plaintiff has the standing to act on behalf of the United States and the general public pursuant to 35 U.S.C. § 292.
5. The Court hereby HOLDS and ORDERS that Plaintiff has a valid statutory assignment of the rights of the United States to pursue the claims in this suit.
6. The Court hereby incorporates by reference the parties' stipulation that the Court shall retain jurisdiction to resolve any disputes regarding the terms of the Confidential Settlement Agreement between them, any action to enforce this agreement, or any action alleging breach of this agreement. The Court hereby HOLDS and ORDERS that it expressly retains jurisdiction to resolve any disputes regarding the terms of the Confidential Settlement Agreement, any action to enforce the agreement, or any action alleging breach of the agreement.

7. The Court hereby HOLDS and ORDERS that each party shall bear its own costs and attorneys' fee associated with this action.

SO ORDERED.

SIGNED this 29th day of April, 2011.

A handwritten signature in black ink, appearing to read "David Folsom", written over a horizontal line.

DAVID FOLSOM
UNITED STATES DISTRICT JUDGE